COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

OFFICE CORRESPONDENCE

DATE: October 4, 1999

FILE NO.: 099-00634-0370-055

FROM: HELENA ASHBY, CHIEF
DETECTIVE DIVISION

TO: LEROY D. BACA
SHERIFF

SUBJECT: **LETTER OF OPINION ON DEPUTY INVOLVED SHOOTING**

The attached Letter of Opinion was received from the District Attorney's Office regarding the case involving Deputies Robert Harris #[redacted], Sean Hoodye #[redacted], Milton Murphy #[redacted], Mark Renfrow #[redacted] and Tracy River #[redacted].

STATION:	Lennox Station
DATE / TIME OF SHOOTING:	January 16, 1999, 1540 hours
SUSPECT:	GOODLOE, Dion D. MB/19 (Deceased)
LOCATION:	[redacted] West 88th Street, Los Angeles

DISTRICT ATTORNEY'S CONCLUSION:

"When Deputies Hoodye, Murphy, Harris, Renfrow and River entered the yard to the rear of [redacted] West 88th Street, they had every reason to be concerned for their safety. They knew that they were looking for an armed suspect who had been implicated in two possible shootings. The victim in the first shooting, Mr. [redacted], had been shot in the back, apparently as he ran from Goodloe. As they neared the [redacted] residence, they were suddenly surprised by Goodloe as he wheeled himself southbound in their direction. When Goodloe saw the deputies, he had two choices. One was to stop as ordered. The other was to attempt to escape. Goodloe, who was armed with a loaded .45 caliber handgun, not only faced a [redacted], but was certain to be prosecuted for the earlier assault and being a felon in possession of a firearm.

Goodloe, who was desperate to escape, attempted unsuccessfully to enter the rear of the [redacted] residence. In the process, he turned and confronted Deputies Harris, Renfrow and River. He pointed a loaded .45 caliber handgun at Deputy Harris in the process. At that point, each deputy, knowing that they were looking for an armed and clearly dangerous suspect, and either fearing for his own safety or the safety of fellow deputies, discharged their weapon.

Concluding that each deputy acted reasonably in either self-defense or in defense of fellow deputies, we are closing our file and will take no further action in the matter.

HA:DM:cg



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF SPECIAL OPERATIONS • SPECIAL INVESTIGATIONS DIVISION

GIL GARCETTI • District Attorney
ROBERT P. HEFLIN • Chief Deputy District Attorney
MICHAEL E. TRANBARGER • Assistant District Attorney

ALLEN D. FIELD • Director

September 16, 1999

Captain Don Mauro
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Dear Captain Mauro:

Re: S.I.D. File #: 100-8577/99-0226
L.A.S.D. File #: 099-00634-0370-055

The Special Investigations Division of the Los Angeles County District Attorney's Office has completed its review of the January 16, 1999, fatal shooting of Dion Deshawn Goodloe by Los Angeles County Deputy Sheriff's Robert Harris, Sean Hoodye, Milton Murphy, Mark Renfrow and Tracy River. We have concluded that each deputy acted lawfully in self-defense or in defense of fellow deputies.

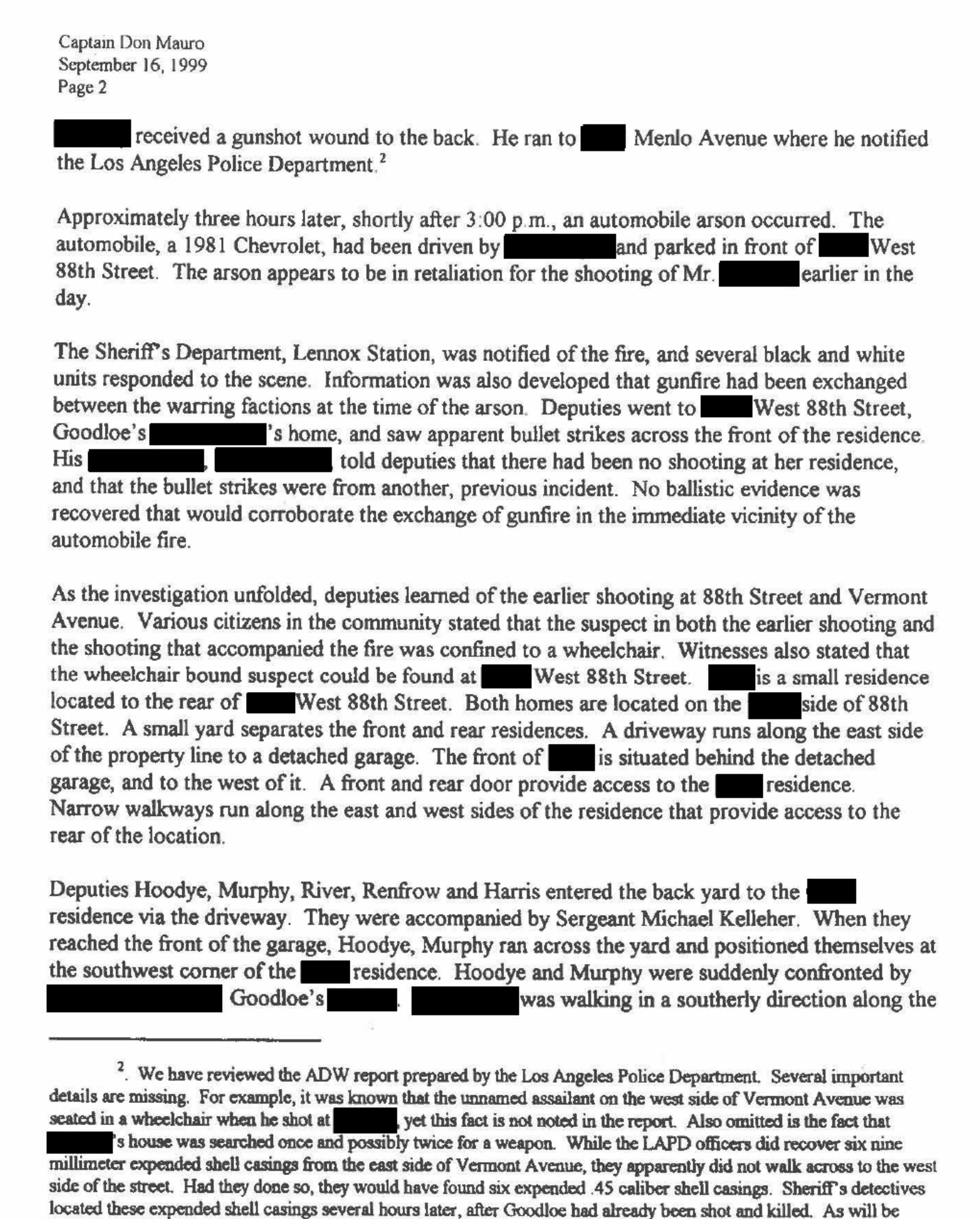
The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department, Homicide Bureau, submitted to this office on July 21, 1999, an oral presentation by Detective Joe Romero, and an examination of numerous photographs that relate to this incident.[1] No independent investigation has been conducted by members of this office.

FACTUAL ANALYSIS

Vermont Avenue, a north/south street, is the dividing line for law enforcement duties performed by the Los Angeles County Sheriff's Department and the Los Angeles Police Department. The Sheriff's Department investigates criminal activity occurring on the west side of Vermont Avenue; the Los Angeles Police Department investigates crimes occurring on the east side of the street. On January 16, 1999, at approximately 12:00 p.m., [redacted] was standing on the southeast corner of 88th Street and Vermont Avenue. Dion Goodloe, his [redacted] and possibly [redacted] were standing on the southwest corner of 88th Street and Vermont Avenue. Gunfire erupted between the parties on either side of Vermont Avenue, and during the shooting,

[1]. These photographs will be returned to the Sheriff' Department.

Criminal Courts Building
210 West Temple Street
Los Angeles, CA 90012-3275
WEBSITE: http://www.co.la.ca.us/da



[redacted] received a gunshot wound to the back. He ran to [redacted] Menlo Avenue where he notified the Los Angeles Police Department.[2]

Approximately three hours later, shortly after 3:00 p.m., an automobile arson occurred. The automobile, a 1981 Chevrolet, had been driven by [redacted] and parked in front of [redacted] West 88th Street. The arson appears to be in retaliation for the shooting of Mr. [redacted] earlier in the day.

The Sheriff's Department, Lennox Station, was notified of the fire, and several black and white units responded to the scene. Information was also developed that gunfire had been exchanged between the warring factions at the time of the arson. Deputies went to [redacted] West 88th Street, Goodloe's [redacted]'s home, and saw apparent bullet strikes across the front of the residence. His [redacted], [redacted] told deputies that there had been no shooting at her residence, and that the bullet strikes were from another, previous incident. No ballistic evidence was recovered that would corroborate the exchange of gunfire in the immediate vicinity of the automobile fire.

As the investigation unfolded, deputies learned of the earlier shooting at 88th Street and Vermont Avenue. Various citizens in the community stated that the suspect in both the earlier shooting and the shooting that accompanied the fire was confined to a wheelchair. Witnesses also stated that the wheelchair bound suspect could be found at [redacted] West 88th Street. [redacted] is a small residence located to the rear of [redacted] West 88th Street. Both homes are located on the [redacted] side of 88th Street. A small yard separates the front and rear residences. A driveway runs along the east side of the property line to a detached garage. The front of [redacted] is situated behind the detached garage, and to the west of it. A front and rear door provide access to the [redacted] residence. Narrow walkways run along the east and west sides of the residence that provide access to the rear of the location.

Deputies Hoodye, Murphy, River, Renfrow and Harris entered the back yard to the [redacted] residence via the driveway. They were accompanied by Sergeant Michael Kelleher. When they reached the front of the garage, Hoodye, Murphy ran across the yard and positioned themselves at the southwest corner of the [redacted] residence. Hoodye and Murphy were suddenly confronted by [redacted] Goodloe's [redacted]. [redacted] was walking in a southerly direction along the

---

[2]. We have reviewed the ADW report prepared by the Los Angeles Police Department. Several important details are missing. For example, it was known that the unnamed assailant on the west side of Vermont Avenue was seated in a wheelchair when he shot at [redacted], yet this fact is not noted in the report. Also omitted is the fact that [redacted]'s house was searched once and possibly twice for a weapon. While the LAPD officers did recover six nine millimeter expended shell casings from the east side of Vermont Avenue, they apparently did not walk across to the west side of the street. Had they done so, they would have found six expended .45 caliber shell casings. Sheriff's detectives located these expended shell casings several hours later, after Goodloe had already been shot and killed. As will be noted later, the shell casings found on the west side of Vermont Avenue were ballistically matched to the .45 caliber handgun that Goodloe pointed at Sheriff's deputies.

west side of the [redacted] residence. [redacted] was detained by the two deputies, handcuffed, and turned over to Sergeant Kelleher who in turn handed him over to two LAPD officers.

Hoodye and Murphy then moved north along the west side of the house and positioned themselves near the northwest corner of the [redacted] residence. At about the same time Hoodye heard running sounds coming from the east side of the residence. He told investigators that he heard a deputy shout, "There he is. There he is". He also heard Deputy Renfrow shout, "He's got a gun. He's got a gun". About the same time Hoodye heard Deputy Harris state something to the effect of "He's coming at you".

From his position at the northwest corner of the house, Deputy Hoodye could see Dion Goodloe. Goodloe was on foot and was armed with a "large handgun". According to Hoodye, Goodloe appeared to open the rear door to the location and actually pass through the threshold briefly. At the same time he turned to the east toward Deputies River, Renfrow and Harris who were pursuing him. As he did so, Goodloe pointed his handgun at the three deputies. Hoodye stated that Goodloe appeared to be "tracking" Deputy Harris. At that point, Deputy Harris shot at Goodloe, as did Deputies Murphy, Hoodye, River and Renfrow. Harris, the deputy closest to Goodloe, was standing approximately eight feet from him when he started shooting. The other deputies, who were positioned in somewhat of a semi-circular position around Goodloe, were all within approximately 15 feet of him when they fired their weapons.

Deputy Harris told investigators that he and his fellow deputies were looking for an armed suspect who was seated in a wheelchair. Information provided from witnesses in the area led deputies to believe that Goodloe would be found at [redacted] West 88th Street. Harris said that he, along with Hoodye, Murphy, River, Renfrow and Sergeant Kelleher walked to the rear of [redacted] West 88th Street. Murphy and Hoodye detained [redacted] at the west side of the [redacted] address, and Deputy Harris ordered the people inside of [redacted] to step from the house. A woman came outside, and while she was being detained, Harris heard Deputy Renfrow ordering Goodloe to put his hands up.

Harris saw Goodloe. Goodloe was seated in a wheelchair and was moving south along the east side of the [redacted] residence. Goodloe suddenly spun around and began wheeling northbound toward the back of the residence. Harris, Renfrow and River chased after Goodloe who unexpectedly stood up and began running. Harris heard someone yell "Gun", and he yelled a warning to Deputies Murphy and Hoodye that Goodloe was coming in their direction along the north side of the [redacted] residence. Deputy Harris said that he got to the northeast corner of the residence and saw Goodloe "begin to raise his right arm with the gun in hand and turn toward him. Harris then "engaged in a gun battle" with Goodloe.

Goodloe fell to the ground, mortally wounded. A .45 caliber handgun fell to the ground at his feet. The gun was loaded with one live round in the chamber and six live rounds in the magazine. The hammer was in the half-cocked position and the safety was off. As noted in footnote number

two, the shell casings found by Sheriff's detectives on the southwest corner of Vermont Avenue and 88th Street were ballistically matched to Goodloe's .45 caliber handgun. Gunshot residue was also found on his hands.

By checking each deputies weapons following the shooting, and performing ballistic comparisons, detectives learned that Deputy Harris fired 16 rounds from his nine millimeter Beretta handgun at Goodloe. Deputy Hoodye fired six rounds, Deputy Murphy fired one round, and Deputies River and Deputy Renfrow fired two rounds each. Goodloe was pronounced dead at the scene by Fire Captain Dutton at 4:03 p.m.

Deputies River, Renfrow and Murphy were all interviewed by Sheriff's investigators and each deputy corroborated the accounts given by Hoodye and Harris.

On January 18, 1999, Juan M Carrillo, M.D., Associate Deputy Medical Examiner, performed an autopsy on the body of Dion Goodloe. He ascribed the cause of death to multiple gunshot wounds. Bullets removed from his body were ballistically matched to the weapons fired by all five deputies. A toxicological analysis of his post-mortem blood detected the presence of .300 micrograms per milliliter of phencyclidine. His blood/alcohol level was determined to be .02%. A plastic baggie containing .5 gram of cocaine base was found secreted between Goodloe's buttocks near his anus.

[redacted], Goodloe's [redacted], told investigators that his [redacted] had been a member of the "46 Neighborhood Crip" gang, and went by the moniker of "Flea". [redacted] admitted that [redacted] owned a handgun, but believed that it was a .380. He claimed not to have seen [redacted] with a gun just prior to his death. [redacted] said that Goodloe had been injured in a automobile accident in December, 1998, and that he used a wheelchair to get around. He stated, however, that Goodloe was able to get up and walk without the assistance of the wheelchair.

Investigators interviewed [redacted]. She had known Goodloe since December 31, 1998, and had spent the night of the 15th with the Goodloe family. She was with Goodloe and [redacted] when the gunfight at 88th Street and Vermont Avenue broke out. She said that she heard more gunfire later on, and saw a car parked near Goodloe's [redacted]'s house engulfed in flames. She accompanied Goodloe to the residence at [redacted] West 88th Street, and saw that he was armed with a handgun. According to Ms. [redacted], Goodloe wheeled himself in his wheelchair along the east side of the residence where an unidentified deputy pushed him out of his wheel chair to the ground. She said that Goodloe got up and started running and still had his gun in his hand. It looked to her like he was trying to throw the gun away, or get rid of it. She then heard several gunshots.

Although only 19 years old, Goodloe had accumulated a [redacted]

[redacted]

CONCLUSION

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears to the person claiming the right of self-defense or the defense of another that he actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams (1977) 75 Cal. App. 3d 731.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30. 5.32.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal. App. 2d 575.

When Deputies Hoodye, Murphy, Harris, Renfrow and River entered the yard to the rear of [redacted] West 88th Street, they had every reason to be concerned for their safety. They knew that they were looking for an armed suspect who had been implicated in two possible shootings. The victim in the first shooting, Mr. [redacted], had been shot in the back, apparently as he ran from Goodloe. As they neared the [redacted] residence, they were suddenly surprised by Goodloe as he wheeled himself southbound in their direction. When Goodloe saw the deputies, he had two choices. One was to stop as ordered. The other was to attempt to escape. Goodloe, who was armed with a loaded .45 caliber handgun, not only faced a probation violation, but was certain to be prosecuted for the earlier assault and being a felon in possession of a firearm.

Goodloe, who was desperate to escape, attempted unsuccessfully to enter the rear of the [redacted] residence. In the process, he turned and confronted Deputies Harris, Renfrow and River. He pointed a loaded .45 caliber handgun at Deputy Harris in the process. At that point, each deputy, knowing that they were looking for an armed and clearly dangerous suspect, and either fearing for his own safety or the safety of fellow deputies, discharged their weapon.

---

[3]. See Los Angeles County Superior Court case number BA 164553.

Concluding that each deputy acted reasonably in either self-defense or in defense of fellow deputies, we are closing our file and will take no further action in this matter.

Very truly yours,

GIL GARCETTI
District Attorney

By
JAMES L. COSPER
Deputy District Attorney

c: Deputy Robert Harris # [redacted]
Deputy Sean Hoodye # [redacted]
Deputy Milton Murphy # [redacted]
Deputy Mark Renfrow # [redacted]
Deputy Tracy River # [redacted]